

PROB 12C
(7/93)

Report Date: March 21, 2011

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 21 2011

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Tam Quang Do

Case Number: 2:07CR00085-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 4/14/2010

Original Offense: Odometer Fraud, 49 U.S.C. § 32703(2); Aggravated Identity Theft, 18 U.S.C. § 1028A(a)(1); Mail Fraud, 18 U.S.C. § 1341

Original Sentence: Prison - 146 Days; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Pamela J. Byerly

Date Supervision Commenced: 4/14/2010

Defense Attorney: Federal Defenders

Date Supervision Expires: 4/13/2013

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** Tam Do violated his supervised release in Spokane, Washington, on or about March 20, 2011, by being arrested for the crime of 4th degree assault - domestic violence. It is alleged that Tam Do assaulted his girlfriend, Michelle Nguyen, by intentionally touching and/or striking her in an offensive and/or unlawful manner, and/or by an intentional act which created reasonable apprehension and/or fear of bodily injury.

On Sunday, March 20, 2011, at approximately 1835, Michelle Nguyen contacted the undersigned officer via cell phone. At that time, she demanded that Tam Do be directed to leave her residence. According to Michelle Nguyen, the offender was becoming violent and physically abusive toward her. Specifically, Ms. Nguyen stated Tam Do was screaming and began pushing her. The undersigned officer asked if she had called police. Michelle Nguyen indicated she was afraid. The undersigned asked if Tam Do was in the home, which she stated he was in another room. Contact with law enforcement was initiated by the undersigned after speaking with Michelle Nguyen.

Spokane Police Department records reflect the offender assaulted Michelle Nguyen on the above-mentioned date. At approximately 1854, officers responded to a domestic violence

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call at the home shared by Ms. Nguyen and the offender. According to the report, Ms. Nguyen saw officers approach the home and ran upstairs. Contact was initiated with Mr. Do in the front living room. He stated that they have dated for 5 years and have a 2-year-old daughter in common. The offender admitted that both were arguing over the restaurant which Ms. Nguyen owns. According to Mr. Do, Ms. Nguyen became angry and threw some of his clothing on the front lawn. Tam Do denied any physical altercation and only admitted to verbally arguing with Ms. Nguyen.

Officers initiated contact with Ms. Nguyen in the upstairs bedroom. According to the responding officers, Ms. Nguyen was very afraid of the offender. She admitted to the officers that Tam Do has abused her in the past and she is tired of it. Ms. Nguyen went on to state that she did not want to be assaulted tonight. She told officers that the offender pushed her while they were both standing at the top of the stairs in the home. She also told officers that her mother, who speaks very little English, witnessed the assault.

The officer contacted Ms. Nguyen's mother, Hoa Nguyen, and inquired if she witnessed the assault. According to the officer, he made the pushing motion in the air with his hands and the mother shook her head in agreement. In fact, Hoa Nguyen pointed to the offender and made the same pushing motion, followed by pointing toward her daughter, Michelle Nguyen.

Officers advised that Michelle Nguyen is extremely afraid of Tam Do and concerned he will retaliate against her and Hoa Nguyen.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 03/21/2011

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other


 Signature of Judicial Officer

3/21/11
 Date